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~~MEMO ENDORSED~~

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June 26, 2020

VIA ECF

Hon. Kenneth M. Karas
United States District Judge
United States District Court
Southern District of New York
The Hon. Charles L. Brieant Jr.
Federal Building and United States Courthouse
300 Quarropas St.
White Plains, NY 10601-4150

Re: United States v. Gabriel Letizia Jr.,
19-CR-548 (KMK)

Dear Judge Karas:

I am writing on behalf of the defendant to request an modification of the protective order issued by the Court regarding discovery in this case. The government has advised me that it has no objection to this request.

The modification that I seek is to permit disclosure of footnote 1 on page 5 of the affidavit by FBI agent Amy Solek, dated April 5, 2017 in support of a search warrant for AMA Laboratories, Inc, dated April 5, 2017. Footnote 1 refers to "Witness 1." We seek limited disclosure of this footnote to the New York State Workers' Compensation Court judge presiding over a claim against AMA Laboratories, Inc. by a former employee of that company. My co-counsel George Weinbaum who is familiar with this Workers' Compensation Court claim believes that the claimant there is "Witness 1" referred to in footnote 1 of the affidavit described above and that the statement in footnote 1 about "Witness 1" is material to the credibility of the claimant in the pending Workers' Compensation Court case. Accordingly, I request that the court permit the modification of the protective order sought here.

Additionally, Mr. Weinbaum has advised me that he believes decision in the pending Workers' Compensation Court case is imminent and that if the material for which we seek modification of the protective order is not disclosed to the Workers' Compensation Court judge before decision, a fraud would be committed on that court.

For that reason, we request that the Court treat our request for modification as urgent.

Respectfully submitted,

S/S

Frederick P. Hafetz

cc: All counsel (via ECF)

Granted.

So Ordered.



6/30/20